

**ENTERED**

February 05, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**KEVIN VILLARREAL,  
"Plaintiff,"

v.

WILLACY COUNTY,  
"Defendant."§  
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Civil Action No. 1:24-cv-00057

**ORDER**

Before the Court is the "Magistrate Judge's Report and Recommendation" (Dkt. No. 26) ("R&R"). The R&R recommends that the Court (1) dismiss without prejudice Plaintiff's claims as moot; and (2) direct the Clerk of Court to close this case.

Objections to the R&R were due January 17, 2025. No objections were filed. If there have been no objections to the magistrate's ruling, the appropriate standard of review is "clearly erroneous, abuse of discretion and contrary to law." *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Finding no clear error, abuse of discretion, or finding contrary to law, the R&R (Dkt. No. 26) is **ADOPTED**. In accordance with Fed. R. Civ. P. 12(b)(1), Plaintiff's claims against Defendant are **DISMISSED without prejudice**.<sup>1</sup> The Clerk of the Court is **ORDERED** to close this case.

Signed on this 5<sup>th</sup> day of February, 2025.

  
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Honorable Rolando Olvera  
United States District Judge

<sup>1</sup> A claim for declaratory and injunctive relief based on conditions of confinement is rendered moot upon the prisoner's release or transfer from the facility. *Herman v. Holiday*, 238 F.3d 660, 665 (5th Cir. 2001).